

NMFS
Proposed Recommendation
for
“Essential Fish Habitat”
for Salmon

Dear Reviewer:

The National Marine Fisheries Service (NMFS) is requesting public comments on this proposed recommendation for descriptions of "Essential Fish Habitat" (EFH) for salmon managed under the Pacific Fishery Management Council's "Pacific Coast Salmon Plan" as required by recent amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). The proposed EFH recommendation includes a definition and description of EFH for four salmon species; a description of adverse effects to salmon EFH including fishing and non-fishing threats; and, a description of measures to ensure the conservation and enhancement of salmon EFH.

Public comments must be submitted by May 8, 1998. Comments on this proposed EFH recommendation for the salmon fishery management plan should be sent to:

Joe Scordino
National Marine Fisheries Service
Northwest Regional Office
7600 Sand Point Way NE
Seattle, WA 98115

BACKGROUND

Public Law 104-267, the Sustainable Fisheries Act of 1996, amended the MSFCMA to establish new requirements for EFH descriptions in federal Fishery Management Plans (FMPs) and to require federal agencies to consult with NMFS on activities that may adversely affect EFH. The MSFCMA requires all Fishery Management Councils to amend their FMPs by October 1998 to describe and identify EFH for each managed fishery. In accordance with the MSFCMA, NMFS published an interim final rule in the Federal Register on December 19, 1997 (62 FR 66531) providing guidelines to assist the Councils in description and identification of EFH in FMPs. NMFS also is required to provide each Council with recommendations on EFH for each fishery under the Council's authority.

NMFS developed this proposed EFH recommendation for the Pacific Coast Salmon Plan through a process that has involved input from the Pacific Fishery Management Council (Council), its advisory bodies, and the fishing industry at the Council's public meetings in September 1997, November 1997, and March 1998. NMFS also formed a technical team consisting of state, tribal, university, federal and industry individuals to provide technical input and advice on the development of the NMFS recommendations.

After consideration of public comments submitted by May 8, 1998, NMFS will finalize these recommendations for submission to the Pacific Fishery Management Council at its June 22-26, 1998 public meeting in Seattle. The Council will adopt proposed amendments to the salmon FMP for EFH and other issues at this meeting, and the Council's proposed amendment will then be made available for public comment. At its September 14-18, 1998 meeting in San Francisco, CA, the Council will approve the final amendment to the salmon FMP for submission to the Secretary of Commerce.

After the amendments to the Fishery Management Plans are approved by the Secretary of Commerce, the consultation requirements of the MSFCMA will be in effect.

MSFCMA Consultation/Comment Requirements on Essential Fish Habitat

Federal Agencies:

Shall consult with NMFS regarding any activity, or proposed activity, authorized, funded, or undertaken by the agency that may adversely affect EFH. [Section 305(b)(2) of the MSFCMA]

Fishery Management Councils:

May comment on and make recommendations to NMFS and any Federal or state agency concerning any activity, or proposed activity, authorized, funded, or undertaken by any Federal or state agency that may adversely affect the habitat, including EFH, of a fishery under its authority. Councils shall comment on an activity that is likely to substantially affect the habitat of an anadromous fishery resource. [Section 305(b)(3)(A) of MSFCMA]

National Marine Fisheries Service:

Consults with federal agencies regarding any activity, or proposed activity, authorized, funded, or undertaken by such agency that may adversely affect EFH. [Section 305(b)(2) of MSFCMA]

Recommends conservation measures for actions undertaken by Federal or State agencies that may adversely affect EFH. [Section 305(b)(4)(A) of MSFCMA]